



Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT  
CASE NO. 21075YP

In re application of: STANLEY F. BARNETT, ET AL.

Serial No. 10/510,068

Filed October 4, 2004

Group Art Unit 1609

Examiner D. C. Sutton

For: METHOD OF TREATING CANCER

Transmitted herewith is an amendment in the above-identified application.

☒ No additional fee is required.

☐ The fee has been calculated as shown below.

CLAIMS AS AMENDED

(1)	(2) Claims remaining after amendment	(3)	(4) Highest Number Previously Paid For	(5) Present Extra	(6) Rate	(7) Additional Fee
Total Claims	* <u>8</u>	-	** <u>20</u> =	<u>0</u> X	\$50	= <u>0.00</u>
Independent Claims	* <u>2</u>	-	*** <u>3</u> =	<u>0</u> X	\$210	= <u>0.00</u>
Multiple Dependent Claims					\$370 ****	= <u>          </u>
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						0.00

\* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

\*\* If the "Highest Number Previously Paid For" in this space is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" in this space is less than 3, write "3" in this space.

\*\*\*\* Add this fee only if application is amended to include multiple dependent claims (regardless of number) and no multiple dependent claims were originally filed.

Charge \$ 0.00 to Deposit Account No. 13-2755. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2755. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

**MERCK & CO., INC.**

By Stephanie R. Smith Date 10-8-07

Respectfully,

By: Matthew A. Leff

Attorney            for Applicant(s)

Reg. No. 50,149

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Date: October 8, 2007

IN DUPLICATE



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicants:** Stanley F. Barnett et al.

**Serial No.:** 10/510,068    **Case No.:** 21075YP

**Filed:** October 4, 2004

**For:** METHOD OF TREATING CANCER

**Art Unit:**  
1609

**Examiner:**  
D.C. Sutton

Mail Stop: Amendment  
The Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

These remarks and election are in response to the Official Action, which was mailed on October 1, 2007 and which has an unextended period of response which expires on November 1, 2007. Please amend the application as set forth below:

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450, ON THE DATE APPEARING BELOW.

MERCK & CO., INC.

BY: Stephanie Riccardi    DATE: 10-8-07